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January 24, 2022

VIA ECF

Honorable James R. Cho
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Michael Reid aka Wayne Martin v. City of New York, et al.
17-CV-5268 (RPK) (JRC)

Your Honor:

I am one of the attorneys assigned to represent defendants in the above-referenced matter. Defendants write on behalf of the parties and in advance of the status conference presently scheduled for January 25, 2022, to respectfully request a sixty (60) extension of the discovery schedule from January 25, 2022 to March 28, 2022.¹

The parties have agreed to complete plaintiff, Michael Reid's deposition by remote means on February 1, 2022. The parties had originally intended on completing plaintiff's deposition sooner, however, have been unable to do so, due to COVID-19 issues and related delays.

The parties are also still working to secure the deposition of non-party Michael Walker, who currently resides in Georgia. As previously discussed, plaintiff's counsel had secured an affidavit from Mr. Walker in 2020 through a private investigator, and has been making attempts in recent months to contact Mr. Walker through that same investigator. Those attempts have not borne fruit and—as previously contemplated—defendants are now working to secure Mr. Walker's deposition testimony by subpoena. Defendants have identified a location near where Mr. Walker resides where he can sit for a virtual deposition and are making arrangements to attempt service of a subpoena for his appearance at two known addresses.

As previously discussed, Mr. Walker was an eyewitness to the underlying shooting at issue in this case and his deposition is critical for both parties. The parties are requesting the additional time in light of the current limitations caused by the ongoing pandemic and the

¹ Please be advised that the 60th day following January 25th falls on Saturday, March 26th and the parties respectfully request the extension until the following Monday, March 28th.

complications relating to locating the witness in question. Accordingly, the parties respectfully request that the Court extend the discovery schedule to March 28, 2022.

The parties thank the Court for its time and consideration.

Respectfully submitted on behalf of
the parties,

/s/

Joseph Zangrilli
Senior Counsel
Special Federal Litigation Division

cc: **VIA ECF**
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